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Defendant.

**ORDER**

*Kamakana* recognized that “compelling reasons” sufficient to outweigh the public’s interests in disclosure and justify sealing records exist when court records may be used to gratify private spite, permit public scandal, circulate libelous statements, or release trade secrets. *Id.* at 1179 (internal quotations omitted). However, “[t]he mere fact that the production of records may lead to a litigant’s embarrassment, incrimination, or exposure to further litigation will not, without more,

1 compel the court to seal its records.” *Id.*, citing, *Foltz v. State Farm Mutual Auto Insurance*  
2 *Company*, 331 F.3d 1122, 1136 (9th Cir. 1995). To justify sealing documents attached to  
3 dispositive motions, a party is required to present articulable facts identifying the interests favoring  
4 continuing secrecy *and* show that these specific interests overcome the presumption of public access  
5 by outweighing the public’s interests in understanding the judicial process. *Id.* at 1181 (internal  
6 citations and quotations omitted).

7 Defendant requests leave to file Exhibits 2 through 7 attached to its Motion for Summary  
8 Judgment (ECF No. 30) under seal. Defendant represents that the documents contained in exhibits  
9 2 through 6 are confidential policies and procedures manuals, which “contain proprietary  
10 information on how Defendant processes and maintains its credit reporting procedures and how it  
11 trains its employees.” *Motion* (ECF No. 25), pg. 4, lns. 20-21. This information, according to  
12 Defendant, should be maintained under seal because public disclosure could aid Defendant’s  
13 competitors in creating or enhancing upon Defendant’s policies and procedures, thereby destroying  
14 Defendant’s competitive advantage. In addition, Defendant argues that the policies and procedures  
15 manuals should be kept under seal because public disclosure could “open Equifax’s system to  
16 potential identity theft by creating a high risk that the criminals would be able to develop methods to  
17 successfully circumvent Equifax’s procedures.” *Id.* at pg. 5, lns. 14-16. Defendant also requests to  
18 file Exhibit 7, the ACIS Maintenance Document that contains Plaintiff’s personal identifying  
19 information, under seal. *Id.* at pg. 6.

20 On balance, the Court finds that Defendant has provided compelling reasons to justify an  
21 order sealing Exhibits 2 through 7 to Defendant’s Motion for Summary Judgment. Therefore, the  
22 Court will allow Exhibit 2 through 7 to be filed under seal in their entirety. Accordingly,

23 **IT IS HEREBY ORDERED** that Defendant’s Motion to File Documents Under Seal (ECF  
24 No. 25) is **granted**.

25 DATED this 11th day of September, 2017.

26  
27   
28 GEORGE FOLEY, JR.  
United States Magistrate Judge